

**JUN 23 2003**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**CATHY A. CATTERSON**  
**U.S. COURT OF APPEALS**

EUGENE HARRIS CORBETT,

Petitioner - Appellant,

v.

HOYT BRILL, in his capacity as Warden of  
the Prairie Correctional Facility; STATE OF  
HAWAII ATTORNEY GENERAL,

Respondents - Appellees.

No. 00-16722

D.C. No. CV-99-00471-ACK

AMENDED ORDER

BEFORE: SCHROEDER, Chief Judge, ALARCÓN and FISHER, Circuit Judges.

The panel has voted to grant appellant's petition for rehearing. Chief Judge Schroeder and Judge Fisher voted to deny the suggestion for rehearing en banc and Judge Alarcón recommended denial of the suggestion for rehearing en banc.

The full court has been advised of the suggestion for rehearing en banc and no judge of the court has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for rehearing, filed December 30, 2002, is GRANTED; the suggestion for rehearing en banc is DENIED. The memorandum disposition filed

on November 14, 2002 is withdrawn. A new memorandum disposition has been filed concurrently with this order.